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EXAMINER	
PATEL, ASHOKKUMAR B	
ART UNIT	PAPER NUMBER
2456	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/519,199	YABE ET AL.	
	Examiner	Art Unit	
	ASHOK B. PATEL	2456	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 August 2008 and 08 October 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-11 are subject to examination.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/20/2008 has been entered.

Response to Arguments

3. Applicant's arguments filed 08/20/2008 have been fully considered but they are not persuasive for the following reasons:

Applicant's argument:

"The Office Action further states, in the Response to Arguments, that the "Beyda reference is not used 'to modify the Lee reference so that messages are stored in a non-unified manner."

"Applicants amend claim 1 to recite "storing... the e-mail transmitted from the mail server, the nonvolatile memory being included in the mail client." See also claims 7 and 9. In this way, the amendment underscores the fact that the messages are stored in a non-unified manner. This is directly contrary to the explicit teaching of the Lee reference.

And, the Office Action specifically states that the Beyda reference is not used for teaching storing the e-mail in a non-unified manner. Therefore, according to the reasoning in the Office Action, both the Lee and Beyda references do not teach storing the e-mail in a non-unified manner. Further, according to the reasoning in the Office Action, the claims (which recite storing the e-mail in a non-unified manner) are not rendered obvious by the combination of the Lee and Beyda references."

Examiner's response:

First of all, Examiner still maintains the validity of the statement that was previously made, which is, "Beyda reference is not used "to modify the Lee reference so that the messages are stored in a non-unified manner."

As stated previously, the teachings of Beyda is incorporated into the Lee's server such that the mail attributes are received first and upon retrieval of an email by selecting the email from a document browsing program as shown by Lee, performing the processing of email in accordance with the Beyda such that the email header and body and/or **attachments are identified by predetermined character strings instructing for their removal or auto-download as desired.**

Beyda offers, as stated below, col. 7, line 43-64, In step 64, a list of senders is the criterion used to determine whether the attached file should or should not be transmitted. Similar to step 62, the list of senders can have one or more names. Furthermore, the list of senders can be utilized such that either an inclusion or exclusion on the list will lead directly to step 60. If step 64 is satisfied, the next step in the process is step 66, which utilizes a list of subject matter instead of file formats or senders. At

step 66, the criterion is based on the subject matter of the email message. For example, if "X project" is selected by the receiving party, the attachment filter 42 may be configured to prevent auto-downloading of attached files of email messages that are not marked as "X project" subject matter. In this configuration, if the email message is not "X project" subject matter, the process proceeds to step 60. **However, if the subject matter is "X project," the email message is transmitted to the client device from the local router/server 12 with the attached file.**

This is the only feature that is offered by Beyda be incorporated into the Lee's server. **Please note that the teachings of Beyda include "downloading" of the email message into the client devices.** Examiner is still wondering of how Beyda is rendering the Lee reference unsatisfactory for its intended purpose.

The question of storing the mail messages in a non-unified manner or else was never raised by the Examiner because it is not relevant at all to any claim limitations. Lee clearly states the following facts:

a. Col. 4, line 25-29, "The unified messaging server 11 is coupled to a unified message store 12 supporting four types of individual message stores: **an email store (ES) 31**, a relational database (RDB) 32, an Internet file system (iFS) 33, and a Web database (Web DB) 34."

b. Col. 4, line 40-44, "In the described embodiment, the unified messaging server 11 is structured as a Unified Inbox using the familiar graphical user interface and controls of a **conventional email application**, as further described below beginning with reference to FIG. 7.

Thus, Examiner had clearly stated, also has been indicated below in the rejection of claim 1, "col. 7, line 47-55, "FIG. 7 is a screen shot of a Web page 100 showing, by way of example, the graphical user interface 101 used in the system 11 of FIG. 2. In the described embodiment, the graphical user interface 101 is generated as a HTML Web page for viewing on a browser application 40 (shown in FIG. 2). The graphical user interface 101 provides controls 102 for displaying and navigating through computer telephony messages 103 stored in the unified message store 12 (shown in FIG. 1).");

Moreover, Lee clearly states at col. 4, line 60-col. 5, line 4, ", "The individual computer systems, including the unified messaging server 11, clients 35, remote client 38, and remote server 39, are general purpose, programmed digital computing devices consisting of a central processing unit (CPU), random access memory (RAM), **non-volatile secondary storage, such as a hard drive or CD ROM drive,** network interfaces, and peripheral devices, including user interfacing means, such as a keyboard and display. Program code, including software programs, and data are loaded into the RAM for execution and processing by the CPU **and results are generated for display**, output, transmittal, **or storage.**

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being Unpatentable over Lee et al. (hereinafter Lee) (US 6, 661, 877 B1) in view of Beyda et al. (hereinafter Beyda) (US 6, 505, 237 B2)

Referring to claim 1,

Lee teaches an e-mail processing method (Fig. 1) comprising:

sending, from a mail server for performing a mail delivery process (col. 4, line 8-10, "Internally, the infrastructure required to support each of these heterogeneous devices is brokered by the unified messaging server 11.") to mail clients (col. 4, line 10-14, "For example, message access using the computer system 14 is provided by implementations of the simple mail transfer protocol (SMTP), standard mail protocol servers (IMAP4 and POP3), and browser-based thin clients (HTML and WML)."), mail attribute information indicating an attribute of an e-mail for the mail client (Fig. 7, elements 106, 107, 108,109 and 110, col. 7, line 56-58, "A set of messages 111 is stored into a Unified Inbox 105 organized by type 106, sender 107, subject 108, date 109, and size 110.") in a data format (col. 7, line 32-36, "The browser based thin clients submodule 88 includes two service interface adapters, Hypertext Markup Language (HTML) 93 and Wireless Markup Language (WML) 94, for respectively generating content and a user interface for Web pages and WAP-enabled devices."), the data format enabling the mail client to display the mail attribute information by executing a document browsing program(col. 7, line 32-36, "The browser based thin clients submodule 88 includes two service interface adapters, Hypertext Markup Language

(HTML) 93 and Wireless Markup Language (WML) 94, for respectively generating content and a user interface for Web pages and WAP-enabled devices.");

receiving, in the mail client, mail attribute information transmitted from the mail server, and displaying the received mail attribute information in accordance with the document browsing program (col. 7, line 47-55, "FIG. 7 is a screen shot of a Web page 100 showing, by way of example, the graphical user interface 101 used in the system 11 of FIG. 2. In the described embodiment, the graphical user interface 101 is generated as a HTML Web page for viewing on a browser application 40 (shown in FIG. 2). The graphical user interface 101 provides controls 102 for displaying and navigating through computer telephony messages 103 stored in the unified message store 12 (shown in FIG. 1).");

accepting, in the mail client, an operation to select an e-mail selected by a user from among e-mails corresponding to the displayed mail attribute information (col. 8, line 10-17, "The graphical user interface 101 is generated by the unified messaging server 11 (shown in FIG. 2) as a Web page for presentation through a browser application 40. An end user on a client 35 or remote client 38 can display and navigate through a Unified Inbox 105 via the graphical user interface 101 and requests to access the computer telephony messages 103 are processed by the unified messaging server 11.");

sending from the mail client to the mail server, identification information for identifying an e-mail selected by the user (col. 8, line 22-28, "During the processing of each request (block 125), the actual message formats used for each particular type of

message, that is, email, voicemail, wireless and so forth, are transparent to the Unified Inbox 105 and access is provided by the encapsulated methods described above with reference to FIGS. 6A-6C. The routine terminates after all requests have been processed.");

receiving in the mail server, identification information transmitted from the mail client (col. 8, line 22-28, "During the processing of each request (block 125), the actual message formats used for each particular type of message, that is, email, voicemail, wireless and so forth, are transparent to the Unified Inbox 105 and access is provided by the encapsulated methods described above with reference to FIGS. 6A-6C. The routine terminates after all requests have been processed."),

(Note: The presence of non-volatile memory in the mail clients are taught by Lee and Beyda. (the non-volatile memory being included in the mail client).

Lee fails to teach sending to the mail client, predetermined character strings for instructing the mail client to process data transmitted from the mail server to the mail client in accordance with an e-mail processing program, prior to or along with sending an e-mail specified by the identification information when receiving predetermined character strings transmitted from the mail server, storing, in accordance with an e-mail processing program by the mail client in a nonvolatile memory, an e-mail transmitted from the mail server.

Beyda teaches at col. 7, line 43-64, In step 64, a list of senders is the criterion used to determine whether the attached file should or should not be transmitted. Similar to step 62, the list of senders can have one or more names. Furthermore, the list of

senders can be utilized such that either an inclusion or exclusion on the list will lead directly to step 60.

If step 64 is satisfied, the next step in the process is step 66, which utilizes a list of subject matter instead of file formats or senders. At step 66, the criterion is based on the subject matter of the email message. For example, if "X project" is selected by the receiving party, the attachment filter 42 may be configured to prevent auto-downloading of attached files of email messages that are not marked as "X project" subject matter. In this configuration, if the email message is not "X project" subject matter, the process proceeds to step 60. However, if the subject matter is "X project," the email message is transmitted to the client device from the local router/server 12 with the attached file. Identical to steps 62 and 64, the list of subject matter may be reversely implemented, such that only attached files of email messages having a subject matter not contained on the list are auto-download to the client device." Note: Attachment identification along with subject, are predetermined character strings which is sent along with sending an e-mail specified by the identification information, instructs the mail client to process the email in accordance with the e-mail processing program, in this case the removal or download of attachments, and when receiving predetermined character strings transmitted from the mail server, storing, in accordance with an e-mail processing program by the mail client in a nonvolatile memory, an e-mail transmitted from the mail server.)

Therefore it would have been an obvious to one of an ordinary skill in art, having the teachings of Lee and Beyda in front of him at the time of invention was made, to

incorporate the teachings of Beyda such that the mail attributes are received first and upon retrieval of an email by selecting the email from a document browsing program as shown by Lee, performing the processing of email in accordance with the Beyda 's system such that the email header and body and/or attachments are identified by predetermined character strings instructing for their removal or auto-download as desired.

This would have been obvious because, as Beyda puts it at col. 2, line 24-28, "What is needed is a messaging method and system that provide extensive user control for downloading attachments of emails, while eliminating the need for individual decisions and input by the user in order to download or upload a desired attachment.

Referring to claim 2,

Lee teaches an e-mail delivery method according to Claim 1, further comprising:

receiving, in the mail client, an instruction to suspend delivery from the mail server of an e-mail selected from among the displayed e-mails, and sending from the mail client identification information for specifying the selected e-mail to the mail server; wherein the mail server receives identification information transmitted from the mail client, and in the next mail attribute sending step, sends mail attribute information of an e-mail whose delivery is to be suspended, the e-mail being specified by the identification information. (Fig. 7, Element New Messages", Note: The messages whose delivery is not requested is identified as New Message.)

Referring to claim 3,

Lee teaches an e-mail delivering method according to Claim 1,

wherein the mail server and the mail client mutually send and receive data in accordance with a hyper text transfer protocol; and the predetermined character strings are written in a header of a hyper text transfer protocol. (col. 7, line 47-55, "FIG. 7 is a screen shot of a Web page 100 showing, by way of example, the graphical user interface 101 used in the system 11 of FIG. 2. In the described embodiment, the graphical user interface 101 is generated as a HTML Web page for viewing on a browser application 40 (shown in FIG. 2). The graphical user interface 101 provides controls 102 for displaying and navigating through computer telephony messages 103 stored in the unified message store 12 (shown in FIG. 1).", Fig. 6B, element 92, Fig. 7, "Web Mail");

Referring to claim 4,

Lee teaches an e-mail delivering method according to Claim 1, wherein the mail server and the mail client mutually send and receive data in accordance with a hyper text transfer protocol; and the mail client, in the step of sending identification information, sends to the mail server identification information for specifying the selected e-mail by using a POST method of a hyper text transfer protocol. (col. 7, line 47-55, "FIG. 7 is a screen shot of a Web page 100 showing, by way of example, the graphical user interface 101 used in the system 11 of FIG. 2. In the described embodiment, the graphical user interface 101 is generated as a HTML Web page for viewing on a browser application 40 (shown in FIG. 2). The graphical user interface 101 provides controls 102 for displaying and navigating through computer telephony

messages 103 stored in the unified message store 12 (shown in FIG. 1).", Fig. 6B, element 92, Fig. 7, "WebMail");

Referring to claim 5,

Lee teaches an e-mail delivering method according to Claim 1, wherein the mail server and the mail client mutually send and receive data in accordance with a hyper text transfer protocol, the mail client requests the mail server to transmit the e-mail by transmitting a request to the mail server, the request using a GET method of a hyper text transfer protocol. (col. 7, line 47-55, "FIG. 7 is a screen shot of a Web page 100 showing, by way of example, the graphical user interface 101 used in the system 11 of FIG. 2. In the described embodiment, the graphical user interface 101 is generated as a HTML Web page for viewing on a browser application 40 (shown in FIG. 2). The graphical user interface 101 provides controls 102 for displaying and navigating through computer telephony messages 103 stored in the unified message store 12 (shown in FIG. 1).", Fig. 6B, element 92, Fig. 7, "WebMail");

Lee fails to teach when the mail server sends to the mail client the predetermined character strings prior to sending an e-mail identified by the identification information.

Beyda teaches at col. 7, line 49, If step 64 is satisfied, the next step in the process is step 66, which utilizes a list of subject matter instead of file formats or senders. At step 66, the criterion is based on the subject matter of the email message. For example, if "X project" is selected by the receiving party, the attachment filter 42 may be configured to prevent auto-downloading of attached files of email messages that are not marked as "X project" subject matter. In this configuration, if the email message

is not "X project" subject matter, the process proceeds to step 60. However, if the subject matter is "X project," the email message is transmitted to the client device from the local router/server 12 with the attached file. Identical to steps 62 and 64, the list of subject matter may be reversely implemented, such that only attached files of email messages having a subject matter not contained on the list are auto-download to the client device." Note: Attachment identification along with subject, are predetermined character strings which is sent along with sending an e-mail specified by the identification information, instructs the mail client to process the email in accordance with the e-mail processing program, in this case the removal or download of attachments.)

Beyda teaches at col. 6, line23-32, "In step 52, the receiving party establishes a communication connection with the local router/server 12, employing one of the client devices 14, 16 and 18. Although any one of the client devices 14, 16 and 18 may be utilized by the receiving party, further description of the method will be described with respect to the client device 14. Also in step 52, the receiving party accesses the virtual mailbox at the local router/server 12 that has been assigned to that receiving party in order to view the email message." (when the mail server sends to the mail client the predetermined character strings prior to sending an e-mail identified by the identification information.)

Therefore it would have been an obvious to one of an ordinary skill in art, having the teachings of Lee and Beyda in front of him at the time of invention was made, to incorporate the teachings of Beyda such that the mail attributes are received first and

upon retrieval of an email by selecting the email from a document browsing program as shown by Lee, performing the processing of email in accordance with the Beyda 's system such that the email header and body and/or attachments are identified by predetermined character strings instructing for their removal or auto-download as desired.

This would have been obvious because, as Beyda puts it at col. 2, line 24-28, "What is needed is a messaging method and system that provide extensive user control for downloading attachments of emails, while eliminating the need for individual decisions and input by the user in order to download or upload a desired attachment.

Referring to claim 6,

Lee teaches an e-mail delivering method according to Claim 5, wherein when sending the e-mail to the mail client, the mail server writes in a header of a hyper text transfer protocol in a predetermined order identification information for identifying an e-mail to be transmitted this time, and identification information for identifying an e-mail to be transmitted subsequently and transmits them to the mail client; and the mail client writes in a request header of a hyper text transfer protocol in a predetermined order, the two pieces of identification information written in a header of the received hyper text transfer protocol, and requests the mail server to send the e-mail to be subsequently transmitted by transmitting a request header of a hyper text transfer protocol to the mail server; and the mail server identifies an e-mail to be sent on the basis of the predetermined order of the two pieces of identification information in a request header of the received hyper text transfer protocol, and sends the specified e-mail to the mail

client (col. 7, line 47-55, "FIG. 7 is a screen shot of a Web page 100 showing, by way of example, the graphical user interface 101 used in the system 11 of FIG. 2. In the described embodiment, the graphical user interface 101 is generated as a HTML Web page for viewing on a browser application 40 (shown in FIG. 2). The graphical user interface 101 provides controls 102 for displaying and navigating through computer telephony messages 103 stored in the unified message store 12 (shown in FIG. 1).", Fig. 6B, element 92, Fig. 7, "WebMail").

Referring to claim 7,

Claim 7 is a claim to a server for performing a mail delivering process to a mail client in accordance with the method of claim 1. Therefore claim 7 is rejected for the reasons set forth for claim 1. (please note that Lee teaches in Fig. 7, E-mail attribute information sending means as such the Mail server of Fig. 1, element 22 has the means as part of the E-Mail server, which is Fig. 6B, element 92. "an identification information reception means" is col. 5, line 33-44, "On the resource software layer 54 side, the server layer 52 exports an application programming interface called the resource software abstraction layer 55. This layer provides a set of dynamic linked libraries called service interface adapters between the server layer 52 and resource software layer 54, such as further described below with reference to FIG. 6A. Server request messages are converted into callbacks that control signal processing in heterogeneous computer telephony devices. Similarly, the resource software layer 54 can interface with the server layer 52 and application software layer 51 through request response and event messages.", and "a character string sending means " is provided by Beyda as

shown for sending attachment identification along with subject, are predetermined character strings which is sent along with sending an e-mail specified by the identification information, instructs the mail client to process the email in accordance with the e-mail processing program., in this case the removal or download of attachments.)

Referring to claim 8,

Claim 8 is a claim to a server for performing a mail delivering process to a mail client in accordance with the method of claim 3. Therefore claim 8 is rejected for the reasons set forth for claim 3.

Referring to claim 9,

Claim 9 is a claim to a mail client which receives e-mails from a mail server in accordance with the method of claim 1. Therefore claim 9 is rejected for the reasons set forth for claim 1. (Fig. 7 of Lee shows the means as inherent parts of the email receiving device.)

Referring to claim 10,

Claim 10 is a claim to a mail client which receives e-mails from a mail server in accordance with the method of claim 4. Therefore claim 10 is rejected for the reasons set forth for claim 4.

Referring to claim 11,

Claim 11 is a claim to a mail client which receives e-mails from a mail server in accordance with the method of claim 5. Therefore claim 11 is rejected for the reasons set forth for claim 5.

Conclusion

Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASHOK B. PATEL whose telephone number is (571)272-3972. The examiner can normally be reached on 6:30 am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ashok B. Patel/

Primary Examiner, Art Unit 2456